

Village of Fall Creek
Minutes of Regular Village Board Meeting
February 13, 2017

1. **Call to Order:** 6:30 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Pledge to Flag**
3. **Roll Call:** Members Present: Village President Chester Goodman, Trustees Tina Jacobson, Matt Mattoon, Wayne Steinke, Dane Zook. Members Absent: Bob Jenkins, Karen Strasburg. Staff Present: Police Chief Chad Dachel, Public Works Director Bryan Kaatz, Clerk-Treasurer Renee Roemhild. Also Present: Jack Halbleib, and 6 citizens.
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted in the three public places and newspapers were notified.
5. **Adopt Agenda:**
 - MOTION (Mattoon/Steinke) to adopt the agenda as printed. PASSED, without negative vote.
6. **Act on Minutes**
 - MOTION (Mattoon/Steinke) to approve the 1/9/17 Regular Board, 2/7/17 Community & Economic Development, and the 2/8/17 Plan Commission meeting minutes. PASSED, without negative vote.
7. **Citizen Input:** None.
8. **Correspondence:** Information read regarding: Invitation to 2017 EC Area Economic Development Corporation Annual Luncheon, positions available on Chippewa Valley Technical College District Board.
9. **Budget Comparison Report/Financial Considerations:**
 - MOTION (Mattoon/Steinke) to approve the 1/31/17 Budget Comparison Report and the Clerk-Treasurer's Monthly Report. PASSED, roll call vote: Jacobson-yes, Mattoon-yes, Steinke-yes, Zook-yes, Goodman-yes.
10. **Consider Bills:**
 - MOTION (Mattoon/Steinke) to approve bills #23388-23445, V17001-17049. PASSED, roll call vote: Mattoon-yes, Steinke-yes, Zook-yes, Goodman-yes, Jacobson-yes.
11. **Scheduled Speakers/Issues of Interest**
 - A. **Bret Luedtke, Eagle Scout Project Update and Consider Sign Locations:** Bret Luedtke updated the Board that his fund raising for the project cost is going well. He questioned the Board's preference for sign locations. The Board directed him to work with the Public Works Director for the exact placement.
 - B. **Jack Halbleib, Regarding Fall Creek Valley Care Center:** Nursing Home Administrator and owner Jack Halbleib addressed the Board with the sad news that the nursing home will be closing. He stated it has become economically unfeasible to run a profitable business with the low government reimbursement rates, increased competition, and increased options for elderly care. He commended the entire Village for their support of the facility since he purchased it in 2002.
 - C. **Move to Convene in Closed Session Per Wis. Stat 19.85(1)(e) Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or Bargaining Reasons Require a Closed Session, Namely, Consider Specific Economic Development Needs. At the End of the Closed Session, the Board Will be Going into Open Session to Conduct Further Business.** Not needed.
 - D. **Move to Return to Open Session and Action, if Any, on Matters Discussed in Closed Session:** Not needed.

12. Police Department

- A. **Monthly Report:** Police Chief Chad Dachel presented the monthly report for cases/calls for service.
- B. **Consider 1st Reading of Ordinance to Amend §185-4 Sexual Offender Residency Restrictions:**
 - MOTION (Zook/Jacobson) to hold the first reading amending §185-4 to better reflect common practices in neighboring communities. PASSED, without negative vote.
- C. **Consider 1st Reading of Ordinance to Amend §199-8 Tobacco Products:**
 - MOTION (Mattoon/Steinke) to hold the first reading amending §199-8. The amendment addresses e-Cigarettes. PASSED, without negative vote.
- D. **Consider Potential Ordinance Amendment Enacting Violation if Operate on Snowmobile Trails When Closed:**
 - MOTION (Mattoon/Steinke) to hold the first reading of the above ordinance. The amendment prohibits operation of a snowmobile within the Village whenever the Eau Claire County snowmobile trails are closed. PASSED, without negative vote.

13. Public Works Department

- A. **Monthly Report:** Public Works Director Bryan Kaatz presented the monthly report on the public works and utility departments.
- B. **Update on Test Well for Possible Well #3:** PWD Kaatz reported the test well was dug, but they unexpectedly hit bedrock at 82 feet. Positive news was the nitrate tests showed low levels. But unfortunately, because of hitting bedrock before the desired 100 foot depth, there is now a concern there will not be enough water volume. The Village Engineer is continuing to assess the situation.
- C. **Consider Replacement of Light Fixtures @ Wastewater Treatment Plant:**
 - MOTION (Steinke/Zook) approving replacement of eight lights at the WWTP by B & B Electric with LED lights at a cost not to exceed \$2,100. PASSED, roll call vote: Steinke-yes, Zook-yes, Goodman-yes, Jacobson-yes, Mattoon-yes.
- D. **Consider Training Request:**
 - MOTION (Mattoon/Jacobson) to approve the request of Public Works Director Bryan Kaatz to attend the Annual Conference in LaCrosse on March 28-31. PASSED, without negative vote.
- E. **Consider Rental Agreement with Doug Raether and Re-Rental Agreement with Brian Steinke for Land Near Well #2:** PWD Kaatz stated Doug Raether is willing to rent the land near Well #2 to the Village again this year. Brian Steinke is also willing to re-rent from the Village. Discussion took place that the land is in the Wellhead Protection District for Well #2 and concerns were voiced regarding protecting the site.
 - MOTION (Zook/Steinke) to inform Doug Raether the Village would like to rent from him, and to hold a Public Works Committee meeting to discuss options and ramifications of re-renting to Brian Steinke. PASSED, roll call vote: Zook-yes, Goodman-yes, Jacobson-yes, Mattoon-yes, Steinke-yes.

14. Committee Reports: Dane Zook reported the Community & Economic Development Committee met on February 7th and recommended several items for action, and several items to research and report back to the Board.

- MOTION (Steinke/Jacobson) approving all items as listed in the 2/7/17 minutes. PASSED, without negative vote.

15. General Business:

- A. **Consider Letter to Relinquish Alcoholic Beverage License:** President Goodman read a letter from Michelle & Sean Rieckens, of Shelly's Bar & Grill LLC, stating their intention to surrender their license condition upon the sale of the property (expected closing date is

2/23/2017) and condition upon the Village Board granting their alcoholic beverage license to the prospective buyer, Team Gizmo's LLC, DBA Gizmo's Bar & Grill LLC.

- MOTION (Steinke/Mattoon) to accept Michelle & Sean Rieckens' letter relinquishing their liquor license pending the sale of the property on 2/23/17. PASSED, without negative vote.

B. Public Hearing re: Alcoholic Beverage License Application: President Goodman opened the public hearing. There was no public comment so the public hearing was closed.

C. Consider Alcohol Beverage License Application:

- MOTION (Steinke/Mattoon) granting a Combination Class B Retail License for the sale of fermented malt beverages and intoxicating liquor for the remainder of the 2016/2017 license year to Team Gizmo's LLC, DBA Gizmo's Bar & Grill upon completion of the purchase of property as stated above. License fee shall be waived but Team Gizmo's LLC will be responsible for paying the Village's publication fee. Applicant is required to provide Clerk's Office with proof the sale happened and the seller transferred the liquor license to the buyer as part of the sale. PASSED, roll call vote: Goodman-yes, Jacobson-yes, Mattoon-yes, Steinke-yes, Zook-yes.

D. Consider Cigarette & Tobacco Products Retail License Application:

- MOTION (Steinke/Mattoon) granting a Cigarette & Tobacco Products License for the remainder of the 2016/2017 license year to Team Gizmo's LLC, DBA Gizmo's Bar & Grill. PASSED, without negative vote.

E. Consider Bartender Operator License Applications:

- MOTION (Steinke/Mattoon) to grant a bartender operator license for the remainder of the 2016/2017 license year to Nicole R. Stevens, Louret V. Broecker, and Joanna E. Nelson. PASSED, without negative vote.
- MOTION (Steinke/Mattoon) to deny a bartender operator license to Darby P. Marin. PASSED, without negative vote.

F. Consider Sign in Downtown Business District @ 122 E Lincoln Avenue (Village Hall & Library)

- MOTION (Steinke/Zook) accept the signage as approved by the Plan Commission, contracting with Smart Sign & Graphic bid for signs as presented for the Village Hall and Library at a cost not to exceed \$3,000. PASSED, without negative vote.

G. Consider Hall Façade Project, Including Financing, Contractor's Pay Request, Possible Change Order:

- MOTION (Steinke/Jacobson) approving Dell Construction Change Order to purchase and install goose-neck lighting above signs instead of installing illuminated signs. PASSED, roll call vote: Jacobson-yes, Mattoon-yes, Steinke-yes, Zook-yes, Goodman-yes.
- MOTION (Steinke/Jacobson) approving payment of Dell Construction Contractor's Pay Request of \$45,500. PASSED, roll call vote: Mattoon-yes, Steinke-yes, Zook-yes, Goodman-yes, Jacobson-yes.

H. Consider Request for Capital Purchase:

- MOTION (Steinke/Jacobson) approving purchase of a refurbished payment drop box from American Security Cabinets at a cost not to exceed \$550. PASSED, roll call vote: Steinke-yes, Zook-yes, Goodman-yes, Jacobson-yes, Mattoon-yes.

I. Consider 2nd Reading and Possible Adoption of Ordinance to Amend §60-6 Salaries and Compensation For Village President and Trustees:

- MOTION (Steinke/Mattoon) to hold the second reading and adopt the above ordinance, making it a part of the Code of the Village of Fall Creek. PASSED, roll

call vote: Zook-yes, Goodman-yes, Jacobson-yes, Mattoon-yes, Steinke-yes.
Ordinance changes the compensation for Village Trustees and President.

- J. Consider Zoning Ordinances Related to Group Homes:** A memorandum written by Village Attorney Garrett Nix regarding group homes was read.
- MOTION (Zook/Steinke) to refer item to the Community & Economic Development Committee for further review. PASSED, without negative vote.
- K. Consider Zoning Ordinances Related to Prohibiting Spraying Chemicals in the Village:** The Board reviewed Village Attorney Garrett Nix's email. No action taken.
- L. Consider Resolution re: Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund:**
- MOTION (Mattoon/Jacobson) approving Resolution #2017-0213A authorizing Village President Goodman to file applications for the financial assistance from the State of Wisconsin Environmental Improvement Fund. PASSED, roll call vote: Goodman-yes, Jacobson-yes, Mattoon-yes, Steinke-yes, Zook-yes.
- M. Consider Request to Join WI Independent Assessing Officers Association:** A written request was read to become part of a non-profit organization in favor of keeping independent, local assessors rather than going to county-wide assessing.
- MOTION (Zook/Mattoon) referring the matter to the Community & Economic Development Committee for further review. PASSED, without negative vote.

16. Adjourn:

- MOTION (Zook/Steinke) @ 8:35 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk-Treasurer